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Statement of Jimmie Mesis, Legislative Chairman of the National Council of Investigation & Security Services Regarding Social Security Death Records Subcommittee on Social Security

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EXECUTIVE DIRECTOR

Carolyn S. Ward

7501 Sparrows Point Blvd.

Baltimore, MD 21219

800-445-8408

Fax: 410-388-9746

E-Mail: nciss@comcast.net

www.nciss.org

Chairman Johnson, Ranking Member Becerra and members of the subcommittee, I am presenting this testimony on behalf of the National Council of Investigation & Security Services (NCISS). NCISS represents professional private investigators and security officers across the nation.

I currently serve as Legislative Chairman of NCISS. I am a long-time professional private investigator and in addition, I am the publisher of PI Magazine, the profession's largest circulation trade journal.

Private investigators are concerned about legislation, including HR 3475, the "Keeping ID's Safe Act" which would prohibit the Social Security Administration from making information in the Social Security Death Index (SSDI) public. We find that there is a strong public policy value in maintaining public access to the information and that denying access to the SSDI would be counterproductive to the fight against identity theft.

The Department of Commerce's National Technical Information Service (NTIS) explains how the data are used to combat fraud:

"By methodically running financial, credit, payment and other applications against the Death Master File, the financial community, insurance companies, security firms and state and local governments are better able to identify and prevent identity fraud."

Credit granting entities cannot be victimized by anyone using identity information from a deceased person obtained from the SSDI if the firm uses the SSDI to screen applicants. If Congress were to make it more difficult to verify identities, then there would be more, not fewer fraudulent acts. Congress recognized the importance of proper verification of credit applicants when it passed the Patriot Act, which requires depository institutions to adopt "know your customer" processes. Access to the SSDI allows banks and other creditors to have reasonable assurance that an applicant is not using the data of a deceased person to commit fraud.

NCISS members include private investigators and other security professionals who use the SSDI to combat fraud and for other valuable purposes. In addition to helping us fight fraud, the SSN information assists us to narrow our search when looking for lost heirs, or potential witnesses in both criminal and civil trials.

The SSDI is one of the strongest tools in the arsenal used to fight identity theft. When we conduct background checks, due diligence or investigate fraud, the SSDI reveals instantly if someone is using the Social Security number of a deceased individual. It is the best defense we have against the misuse of the identity of deceased persons. A proper use of the SSDI should lead directly to the arrest of identity thieves.

There are other, life-saving uses for the SSDI. In one case I handled, a pharmaceutical company retained me to assist in a drug study. They were not able to locate many of the individuals who had been taking the drug being tested and needed to know if they had died. The SSDI was critical in helping determine the efficacy of the drug.

An essential part of the record is the decedent's Social Security number. It is the key way in which one can distinguish among the thousands of John Smiths listed in the SSDI. Some pending legislation would prohibit disclosure of the Social Security number rather than ban all disclosure. But restricting access to the number would substantially reduce the anti-fraud value of the information in the index. NCISS strongly opposes such efforts.

NCISS would be pleased to provide any additional information to assist the Subcommittee as it considers the pending legislation.

